

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cr-30018

United States of America

v.

Randolph Mills

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-28

and contained in Volume(s) I are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 9/15/2006.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 10, 2006.

Sarah A Thornton, Clerk of Court

By:

Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 10/11/06

D Baichard
Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Springfield)
CRIMINAL DOCKET FOR CASE #: 3:05-cr-30018-JLT-ALL**

Case title: USA v. Mills

Date Filed: 04/14/2005

Assigned to: Judge Joseph L.
Tauro

Defendant

Randolph Mills (1)
TERMINATED: 08/30/2006
also known as
Dashe Beckford (1)
TERMINATED: 08/30/2006

represented by **John S. Ferrara**
Dalsey, Ferrara & Albano
73 State Street
Suite 101
Springfield, MA 01103
413-736-6971
Fax: 413-746-9224
Email: nfernandes@dalsey-
ferrara.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

REENTRY OF A DEPORTED
ALIEN. 8 U.S.C. 1326
(1)

Disposition

The defendant is sentenced to probation for a term of 2 years. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. The defendant shall cooperate in the collection of DNA as directed by the probation officer. The standard conditions of supervision shall apply. If ordered deported, the defendant shall not return to the United States without prior authorization from the Department of Homeland

Security. A special assessment fee of \$100.00 is to be paid.

**Highest Offense Level
(Opening)**

Felony

Terminated Counts

None

**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Disposition

Plaintiff

USA

represented by **Ariane D. Vuono**
United States Attorney's Office
Suite 310
1550 Main Street
Springfield, MA 01103
413-785-0330
Fax: 413-785-0394
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas J. O'Connor, Jr.
Shatz, Schwartz and Fentin, P.C.
1441 Main Street
Suite 1100
Springfield, MA 01103
413-737-1131
Fax: 413-736-0375
Email: TOConnor@ssfpc.com
TERMINATED: 09/18/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen L. Goodwin

United States Attorney's Office
 1550 Main Street
 Springfield, MA 01103
 413-785-0269
 Fax: 413-785-0394
 Email: karen.goodwin@usdoj.gov

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/14/2005	1	NOTICE OF ATTORNEY APPEARANCE Ariane D. Vuono appearing for USA. (Healy, Bethaney) (Entered: 04/15/2005)
04/14/2005	2	INDICTMENT as to Randolph Mills (1) count 1. (Healy, Bethaney) (Entered: 04/15/2005)
05/05/2005	3	Writ of Habeas Corpus ad Prosequendum Issued as to Randolph Mills for May 6, 2005 at 9:30 a.m. (Healy, Bethaney) (Entered: 05/05/2005)
05/05/2005	4	NOTICE OF HEARING as to Randolph Mills ISSUED, cc:cl. Initial Appearance and Arraignment set for 5/6/2005 at 11:30 AM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 05/05/2005)
05/06/2005	5	Attorney update in case as to Randolph Mills. Attorney John S. Ferrara for Randolph Mills added. (Healy, Bethaney) (Entered: 05/06/2005)
05/06/2005	6	Case unsealed as to Randolph Mills (Healy, Bethaney) (Entered: 05/06/2005)
05/06/2005	7	Electronic Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Counsel (Attys Vuono and Ferrara) and Defendant appear for Initial Appearance and Arraignment as to Randolph Mills (1) Count 1 held on 5/6/2005. Deft advised of rights. Colloquy re: status of detention. Govt orally requests that Defendant be detained. Motion allowed. Deft pleads not guilty to charges. Schedule estd with order to issue. (Court Reporter FTR.) (Healy, Bethaney) (Entered: 05/06/2005)
05/06/2005	8	ORAL MOTION for Detention as to Randolph Mills by USA.

		(Healy, Bethaney) (Entered: 05/06/2005)
05/06/2005	4	Magistrate Judge Kenneth P. Neiman. ORAL ORDER granting [] Motion for Detention as to Randolph Mills (1), ENTERED. (Healy, Bethaney) (Entered: 05/06/2005)
05/06/2005	4	Magistrate Judge Kenneth P. Neiman. ORDER OF DETENTION Pending Trial as to Randolph Mills, ENTERED, cc:cl. (Healy, Bethaney) (Entered: 05/06/2005)
05/06/2005	5	Magistrate Judge Kenneth P. Neiman. SCHEDULING ORDER as to Randolph Mills setting Status Conference for 6/23/2005 at 3:00 PM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman; joint memo submitted by 6/21/05, ENTERED, cc:cl. (Healy, Bethaney) (Entered: 05/06/2005)
06/03/2005	6	ELECTRONIC NOTICE OF RESCHEDULING as to Randolph Mills, ISSUED, cc:cl. Status Conference moved to 6/23/2005 at 11:30 AM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 06/03/2005)
06/23/2005	6	Parties JOINT STATUS REPORT pursuant to Local Rule 116.5(A) as to Randolph Mills filed. (Finn, Mary) (Entered: 06/23/2005)
06/23/2005	7	Magistrate Judge Kenneth P. Neiman. INTERIM SCHEDULING ORDER as to Randolph Mills ENTERED, cc:cl. Interim Status Conference set for 8/23/2005 at 2:00 PM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman; joint memo by 8/21/05. (Healy, Bethaney) (Entered: 06/24/2005)
06/23/2005	8	Magistrate Judge Kenneth P. Neiman. INTERIM STATUS REPORT as to Randolph Mills, cc:cl. (Healy, Bethaney) (Entered: 06/24/2005)
06/24/2005	9	Electronic Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Counsel (Attys Vuono and Ferrara) appear for Initial Status Conference as to Randolph Mills held on 6/23/05. Colloquy re: status of discovery and calculation of Speedy Trial Act. Orders to issue. (Court Reporter FTR.) (Healy, Bethaney) (Entered: 06/24/2005)
06/24/2005	9	Magistrate Judge Kenneth P. Neiman. ORDER ON EXCLUDABLE DELAY as to Randolph Mills ENTERED.

		cc:cl. Time excluded from May 20, 2005 until August 23, 2005. (Healy, Bethaney) (Entered: 06/24/2005)
08/23/2005	●	Electronic Clerk's Notes for proceedings held before Judge Kenneth P. Neiman :Status Conference as to Randolph Mills held on 8/23/2005. Final status on 10/25/05 @ 1:30 PM (Court Reporter CD Recorder.) (Stuckenbruck, John) (Entered: 08/23/2005)
08/23/2005	●10	JOINT MEMORANDUM of the parties re: status conference by Randolph Mills and USA. (Stuckenbruck, John) (Entered: 08/24/2005)
08/23/2005	●11	Judge Kenneth P. Neiman : Electronic ORDER entered. INTERIM STATUS REPORT as to Randolph Mills (Stuckenbruck, John) (Entered: 08/24/2005)
08/23/2005	●12	Judge Kenneth P. Neiman : Electronic ORDER entered. SCHEDULING ORDER as to Randolph Mills Status Conference set for 10/25/2005 01:30 PM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman. Memorandum due by 10/21/05. (Stuckenbruck, John) (Entered: 08/24/2005)
08/25/2005	●13	Judge Kenneth P. Neiman : Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Randolph Mills Time excluded from 8/23/05 until 10/25/05. (Stuckenbruck, John) (Entered: 08/25/2005)
10/21/2005	●14	Deft's EMERGENCY MOTION to Continue the status conf. set for 10/25/2005 as to Randolph Mills filed.(Finn, Mary) (Entered: 10/21/2005)
10/21/2005	●	Magistrate Judge Kenneth P. Neiman. ELECTRONIC ORDER granting <u>14</u> Motion to Continue 10/25/05 Conference as to Randolph Mills (1), ENTERED, cc:cl. ALLOWED. Matter continued to November 2, 2005, at 2:30 p.m. in Courtroom Three. The parties shall file their joint memorandum by no later than October 31, 2005. (Healy, Bethaney) (Entered: 10/21/2005)
10/21/2005	●	Set/Reset Hearings as to Randolph Mills: Status Conference rescheduled to 11/2/2005 at 2:30 PM in Courtroom 25 before Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 10/21/2005)
11/02/2005	●15	JOINT SUBMISSION pursuant to Local Rule 116.5(C) as to Randolph Mills (Healy, Bethaney) (Entered: 11/04/2005)

11/04/2005	●	ElectronicClerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Counsel (Attys Vuono and Ferrara) appear for Final Status Conference as to Randolph Mills held on 11/4/2005. Final status repor to issue. (Digital Recording #FTR.) (Healy, Bethaney) (Entered: 11/04/2005)
11/04/2005	●16	Magistrate Judge Kenneth P. Neiman. FINAL STATUS REPORT as to Randolph Mills ENTERED, cc:cl. Initial Pretrial Conference set for 12/1/2005 at 3:00 PM in Courtroom 1 before District Judge Michael A. Ponsor. (Healy, Bethaney) (Entered: 11/07/2005)
12/01/2005	●	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Status Conference as to Randolph Mills held on 12/1/2005 Further Status Conference set for 1/6/2006 03:00 PM in Courtroom 1 before Judge Michael A Ponsor. Government to file motion for excludable delay(Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 12/01/2005)
12/02/2005	●17	Govt's Assented to MOTION for an Order of Excludable Delay for the time period from October 25, 2005 to January 6, 2006 as to Randolph Millsby USA filed. (Finn, Mary) (Entered: 12/05/2005)
12/12/2005	●	Judge Michael A Ponsor : Electronic ORDER entered denying <u>17</u> Motion to Exclude as to Randolph Mills (1) "Denied w/o prejudice to refileing a motion with specific supporting reasons, e.g. plea negotiations, unusually complex discovery, continuity of counsel, or the like" (French, Elizabeth) (Entered: 12/12/2005)
01/09/2006	●	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Status Conference as to Randolph Mills held on 1/9/2006 - Order of recusal to be entered - case to be transferred to Bostons to be redrawn (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 01/09/2006)
01/09/2006	●18	MOTION for Order of Excludable Delay from 10/25/05 to 1/6/06 as to Randolph Millsby USA. (Stuckenbruck, John) (Entered: 01/09/2006)
01/09/2006	●	Judge Michael A Ponsor : endorsedORDER entered granting <u>18</u> Motion to Exclude Time from 10/25/05 - 1/6/06 as to Randolph Mills (1). ALLOWED on the ground that in these circumstances the interests of justice outweigh the usual

		interest in a speedy trial. (Stuckenbruck, John) (Entered: 01/10/2006)
01/09/2006	<u>19</u>	Judge Michael A Ponsor : Electronic ORDER OF TRANSFER entered. as to Randolph Mills. File forwarded to Boston for reassignment. (Stuckenbruck, John) (Entered: 01/10/2006)
01/11/2006	<u>20</u>	Notice of reassignment: case as to Randolph Mills reassigned to Judge Joseph L. Tauro. Judge Michael A Ponsor no longer assigned to the case. (Attachments: # <u>1</u> ECF Notice) (Hurley, Virginia) (Entered: 01/11/2006)
01/12/2006		Case as to Randolph Mills no longer referred to Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 01/12/2006)
02/13/2006	<u>21</u>	NOTICE OF ATTORNEY APPEARANCE Thomas J. O'Connor, Jr appearing for USA. (O'Connor, Thomas) (Entered: 02/13/2006)
03/24/2006		electronicNOTICE OF HEARING as to Randolph Mills Status Conference set for 4/12/2006 12:00 PM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 03/24/2006)
03/30/2006	<u>22</u>	Assented to MOTION to Continue <i>Status Conference</i> as to Randolph Mills. (Ferrara, John) (Entered: 03/30/2006)
04/11/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>22</u> Motion to Continue as to Randolph Mills (1) Status Conference set for 4/26/2006 11:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 04/11/2006)
04/26/2006		ElectronicClerk's Notes for proceedings held before Judge Joseph L. Tauro :Status Conference as to Randolph Mills held on 4/26/2006. Parties report status. Defense requests Change of Plea Hearing. Change of Plea Hearing will be held on May 11, 2006 at 12:00 PM in Courtroom 20 before Judge Joseph L. Tauro. (Court Reporter Carol L. Scott.) (Abaid, Kim) (Entered: 04/26/2006)
04/26/2006		Set/Reset Hearings as to Randolph Mills: Change of Plea Hearing set for 5/11/2006 12:00 PM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 04/26/2006)
05/10/2006	<u>23</u>	Writ of Habeas Corpus ad Testificandum Issued as to

		Randolph Mills for May 11, 2006 in case as to Randolph Mills. (Abaid, Kim) (Entered: 05/10/2006)
05/11/2006	20	ElectronicClerk's Notes for proceedings held before Judge Joseph L. Tauro :Change of Plea Hearing as to Randolph Mills held on 5/11/2006; disposition set for August 3, 2006 at 12:00 p.m. (Court Reporter Carol Scott.) (Lovett, Zita) (Entered: 05/15/2006)
05/15/2006	24	Judge Joseph L. Tauro : Electronic ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Randolph Mills Sentencing set for 8/3/2006 12:00 PM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 05/15/2006)
05/22/2006	25	NOTICE OF ATTORNEY APPEARANCE Karen L. Goodwin appearing for USA. (Goodwin, Karen) (Entered: 05/22/2006)
08/03/2006	26	ELECTRONIC NOTICE OF HEARING as to Randolph Mills Sentencing set for 8/16/2006 11:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (the 8/3/2006 hearing is cancelled).(Lovett, Zita) (Entered: 08/03/2006)
08/03/2006	26	Writ of Habeas Corpus ad Testificandum Issued as to Randolph Mills for August 16, 2006 in case as to Randolph Mills (Abaid, Kim) (Entered: 08/07/2006)
08/16/2006	27	ElectronicClerk's Notes for proceedings held before Judge Joseph L. Tauro :Sentencing held on 8/16/2006 for Randolph Mills (1), Count(s) 1, The defendant is sentenced to probation for a term of 2 years. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. The defendant shall cooperate in the collection of DNA as directed by the probation officer. The standard conditions of supervision shall apply. If ordered deported, the defendant shall not return to the United States without prior authorization from the Department of Homeland Security. A special assessment fee of \$100.00 is to be paid. (Court Reporter Carol L. Scott.) (Abaid, Kim) (Entered: 08/31/2006)
08/30/2006	27	Judge Joseph L. Tauro : ORDER entered. JUDGMENT and STATEMENT OF REASONS as to Randolph Mills (1), Count (s) 1, The defendant is sentenced to probation for a term of 2 years. The defendant shall not possess a firearm, ammunition,

		destructive device, or any other dangerous weapon. The defendant shall cooperate in the collection of DNA as directed by the probation officer. The standard conditions of supervision shall apply. If ordered deported, the defendant shall not return to the United States without prior authorization from the Department of Homeland Security. A special assessment fee of \$100.00 is to be paid. (Abaid, Kim) (Entered: 08/31/2006)
09/15/2006	28	NOTICE OF APPEAL by USA as to Randolph Mills Filing fee \$ 455. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 10/5/2006. (Goodwin, Karen) (Entered: 09/15/2006)